

App. Ser. No.: 09/587,932
Atty. Doc. No.: D02308

REMARKS

In the Office Action mailed August 11, 2005 the Examiner objected to the drawings; objected to claim 7 because of a typographical error; rejected claims 1-4, 7-9, 14-17 and 23-26 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,609,202 B1 to Chan and rejected claim 6 under 35 U.S.C. 103(a) as being unpatentable over Chan in view of U.S. Patent Publication 2003/0005292 A1 to Matthews.

In response Applicant has submitted formal drawings (previously submitted on October 11, 2005) and amended claim 7 to correct the error. No new matter has been added.

Applicant respectfully traverses the obviousness rejections made in the last Office Action. First, the Examiner asserts that Chan teaches two data streams that contain different numbers of services. *See* Office Action, paragraph 9. The Examiner then cites to col. 13, lines 17-21 and col. 11, lines 62-67 of Chan for support of this conclusion. *Id.* Chan simply does not teach two different numbers of services in these passages. Indeed, Chan does not even use the word "service," or any equivalent, in these passages.

The Examiner then states that "Chan [does] not explicitly disclose[] the second data stream includes a second number of services." *Id.* Applicant agrees.

However, the Examiner then goes on to assert that "it would have been obvious ... to interpret the '[] set of digital data' [to] be a set of digital data of many services." *Id.* The Examiner points to no reference that supports this conclusion. Conclusions about what is obvious, without support from a prior art reference, cannot be the basis for an obviousness rejection.

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Finally, the Examiner then asserts that Applicant has improperly construed Chan to a single embodiment using a CD-ROM. Applicant again asserts that Chan is limited to processing one service at a time. While Chan does describe different types of data in col. 4, lines 16-18, it is improper to construe these multiple types of data as different numbers of services. Therefore Chan can only process one service at a time.

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CONCLUSION

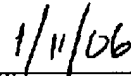
No fees are believed due for this amendment beyond the fees for the Petition for a One Month Extension. However, the Office is authorized to charge any additional fees or underpayments of fees (including fees for petitions for extensions of time) under 37 C.F.R. 1.16 and 1.17 to account number 502117. Any overpayments should be credited to the same account.

Applicant requests entry of this amendment, reconsideration of the pending claims and the issuance of a Notice of Allowance. Should the Examiner have any questions, he is invited to contact Applicant's representative below.

Respectfully submitted,

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